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CLERK U.S. DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT TACOMA DEPUTY	

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Judge Karen L. Strombom



05-MJ-05033-M

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

WILLIAM JOHN DIEHL,

Defendant.

NO. 05-5033-M

MOTION FOR DETENTION ORDER

The United States moves for pretrial detention of defendant, pursuant to
18 U.S.C. § 3142(e) and (f)

1. Eligibility of Case. This case is eligible for a detention order because this
case involves (check all that apply):

- Crime of violence (18 U.S.C. § 3156).
- Maximum sentence of life imprisonment or death
- 10 + year drug offense
- Felony, with two prior convictions in the above categories
- Serious risk the defendant will flee
- Serious risk of obstruction of justice

2. Reason for Detention. The Court should detain defendant because there
are no conditions of release which will reasonably assure (check one or both):

- Defendant's appearance as required
- Safety of any other person and the community

1 3. Rebuttable Presumption. The United States (will, will not) invoke the
2 rebuttable presumption against defendant under §3142(e). (If yes) The presumption
3 applies because (check one or more):

- 4 Probable cause to believe defendant committed 10+ year drug offense or
- 5 firearm offense under 18 U.S.C. § 924(c)
- 6 Previous conviction for "eligible" offense committed while on pretrial
- 7 bond
- 8 Probable cause to believe defendant committed an offense involving a
- 9 victim under the age of 18 under 18 U.S.C. §§ 1591, 2241, 2242,
- 10 2244(a)(1), 2245, 2251, 2251A, 2252(a)(1) through 2252(a)(3),
- 11 2252A(a)(1) through 2252A(a)(4), 2260, 2421, **2422**, 2423 or 2425.

12 4. Time for Detention Hearing. The United States requests the Court
13 conduct the detention hearing:

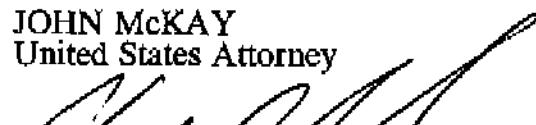
- 14 At the initial appearance
- 15 After continuance of ___ days (not more than 3)

16 5. Other matters.

17
18 DATED this 22ND day of February, 2005.

19 Respectfully submitted,

20 JOHN MCKAY
21 United States Attorney



22
23 Vincent T. Lombardi, WSB # 21967
24 Assistant United States Attorney